

**EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
SEPTEMBER 8, 2005**

BUREAU OF LAND AND WASTE MANAGEMENT

UST Enforcement

- 1) Order Type and Number: Consent Order 05-0569-UST
 Order Date: June 21, 2005
 Respondent: **David Rodgers**
 Facility: David's Grocery
 Location/Mailing Address: 600 South Main Street
 McColl, SC 29570

 County: Marlboro
 Previous Orders: None
 Permit/ID Number: 11247
 Violations Cited: UST Control Regulations, R.61-92,
 §280.33(d), R.61-92, §280.34(c).

Summary: David Rodgers, a single facility owner, owns and operates a convenience store with underground storage tanks located at 600 South Main Street, McColl, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to repair an underground storage tank system in accordance with codes and standards, and failure to supply records to the Department upon request.

Action: The Respondent is replacing the flexible piping at the facility that had stretched due to the incompatibility of the outermost piping layer with petroleum products. If the repairs are completed within 30 days, the penalty will be suspended.

Hazardous Waste Enforcement

- 2) Order Type and Number: Consent Order 05-14-HW
 Order Date: July 5, 2005
 Respondent: **Universal Environmental Services**
 Facility: Universal Environmental Services
 Location/Mailing Address: 411 Dividend Drive
 Peachtree City, G.A. 30269

 County: Dorchester
 Previous Orders: None
 Permit/ID Number: GAR 000 020 131

Violations Cited: The South Carolina Hazardous Waste Management Act §44-56-130(2) and the South Carolina Hazardous Waste Management Regulations 61-79.263.10(g)

Summary: Universal Environmental Services, LLC (Respondent), located in Peachtree City, Georgia, specializes in recycling hydrocarbon waste streams and transporting hazardous waste. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to obtain a permit from the Department prior to transporting hazardous waste in the State of South Carolina.

Action: The Respondent has agreed to: ensure compliance with the requirements applicable to Hazardous Waste Transporters included in 25 S.C. Regs. 61-79.263; and, pay a civil penalty in the amount of two hundred fifty dollars (**\$250.00**). The penalty will be paid in one (1) payment.

BUREAU OF WATER

Drinking Water Enforcement

3) Order Type and Number: Consent Order 05-087-DW
Order Date: July 7, 2005
Respondent: **Jim Sniffen**
Facility: EZ Shop 22/Sweetwater Shell
Location/Mailing Address: P.O. Box 330
Bamberg, S.C. 29003
County: Calhoun
Previous Orders: None
Permit/ID Number: 0970903
Violations Cited: 25 S.C. Code Ann. Regs. 61-58.5(F)(1)(b) (Supp. 2004)

Summary: Jim Sniffen (Respondent) d/b/a EZ Shop 22/Sweetwater Shell is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: exceeded the maximum contaminant level (MCL) for total coliform for two monitoring periods.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; submit an Investigative Report; and pay a **stipulated penalty** in the amount of two thousand eight hundred dollars (**\$2,800.00**) if he fails to meet any requirement of this Order.

- 4) Order Type and Number: Consent Order 05-091-DW
 Order Date: July 13, 2005
 Respondent: **Scollon Productions, Inc.**
 Facility: Scollon Productions PWS
 Location/Mailing Address: P.O. Box 486
 White Rock, S.C. 29177

 County: Richland
 Previous Orders: None
 Permit/ID Number: 4030008
 Violations Cited: S.C. Code Ann. Regs. 61-58.5
 (F)(1)(b) and (E)(3)

Summary: Scollon Productions, Inc. (Respondent) owns and is responsible for the operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: exceeded the MCL for total coliform during the April 1 – June 30, 2004 and July 1- September 30, 2004 monitoring periods and failed to issue public notification for the April 1 – June 30, 2004 monitoring period.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; install a replacement well; pay a civil penalty in the amount of one thousand two hundred twenty-five dollars (**\$1,225.00**); and pay a **stipulated penalty** in the amount of three thousand six hundred seventy-five dollars (**\$3,675.00**) if it fails to meet any requirement of this Order.

- 5) Order Type and Number: Consent Order 05-092-DW
 Order Date: July 21, 2005
 Respondent: **Haig Point Utility Company, Inc.**
 Facility: Haig Point Plantation
 Location/Mailing Address: P.O. Drawer 7319
 Hilton Head, S.C. 29925

 County: Beaufort
 Previous Orders: None
 Permit/ID Number: PWS #0750036
 Violations Cited: S.C. Code Ann. § 49-5-100(A) and
 49-5-120(B)

Summary: Haig Point Utility Company, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a PWS that serves the residents of Haig Point Plantation, located on Daufuskie Island in Beaufort County, South Carolina. The Respondent has violated the Groundwater Use and Reporting Act as follows: failed to obtain a Groundwater Withdrawal Permit to construct a new well in a designated Capacity Use Area.

The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; obtain the appropriate Groundwater Withdrawal Permit to construct a new well; and pay a civil penalty in the amount of six hundred eighty dollars **(\$680.00)**.

- 6) Order Type and Number: Consent Order 05-094-DW
 Order Date: July 19, 2005
 Respondent: **Carolina Water Service, Inc.**
 Facility: Glenn Village II Subdivision
 Location/Mailing Address: P.O. Box 4509
 West Columbia, S.C. 29171

 County: Lexington
 Previous Orders: 01-209-DW (Stipulated); 01-095-W
 (\$7,000)
 Permit/ID Number: 3250058
 Violations Cited: S.C. Code Ann. Regs. 61-58.5 (H)

Summary: Carolina Water Service, Inc. (Respondent) is responsible for the operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: exceeded the maximum contaminant level for Radium 226/228 for 3 compliance periods.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; submit a corrective action plan (CAP) to address the violations; and pay a **stipulated penalty** in the amount of three thousand four hundred dollars **(\$3,400.00)** if it fails to meet any requirement of this Order.

- 7) Order Type and Number: Consent Order 05-096-DW
 Order Date: July 21, 2005
 Respondent: **Town of Eastover**
 Facility: Town of Eastover PWS
 Location/Mailing Address: P.O. Box 58
 Eastover, S.C. 29044

 County: Richland
 Previous Orders: 01-178-DW (Stipulated); 01-141-W
 (\$0)
 Permit/ID Number: 4010002
 Violations Cited: S.C. Code Ann. Regs. 61-58.11(H)

Summary: The Town of Eastover (Respondent) is responsible for the operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to conduct lead and copper monitoring for 2 monitoring periods.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; conduct lead and copper monitoring; and pay a **stipulated penalty** in the amount of one thousand four hundred dollars (**\$1,400.00**) if it fails to meet any requirement of this Order.

Water Pollution Enforcement

- 8) Order Type and Number: Consent Order 05-071-W
Order Date: July 7, 2005
Respondent: **Rolling Meadows I LLC**
Facility: Rolling Meadows MHP
Location/Mailing Address: C/O 4801 Sunset Boulevard Lot 108
Lexington, S.C. 29072
County: Lexington
Previous Orders: 01-035-W (\$2,500); 03-219-W
(\$5,600 Suspended)
Permit/ID Number: SC0033685
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2004) and 24 S.C. Code Ann. Regs 61-9.122.41(a)(1) (Supp. 2004)

Summary: Rolling Meadows I, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) and a wastewater collection system (WWCS). The Respondent has violated the Pollution Control Act as follows: failed to comply with the permitted discharge limits for flow in conduit and fecal coliform bacteria.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; begin smoke testing of all lines within the WWCS; submit progress reports on a quarterly basis detailing all corrective actions completed during the quarter; submit an all inclusive summary of corrective actions taken to date to insure compliance with the effluent discharge limits; and pay a civil penalty in the amount of four thousand two hundred dollars (**\$4,200.00**) in quarterly installments.

- 9) Order Type and Number: Consent Order 05-075-W
Order Date: July 12, 2005
Respondent: **Preston Price & Company, Inc.**
Facility: Avalon Townhomes
Location/Mailing Address: P.O. Box 2501
Evans, GA 30809
County: Fairfield
Previous Orders: None
Permit/ID Number: SCR108980

Violations Cited: S.C. Code Ann. § 48-1-110(d) (Supp.2004), 48-1-90(a) (1987), 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp. 2004), and 25 S.C. Code Ann. Regs. 61-68.E(5)(d) (Supp. 2004)

Summary: Preston Price & Company, Inc. (Respondent) owns and is responsible for clearing and grading activities at Avalon Townhomes in Greenwood County, South Carolina. The Respondent failed to properly install and maintain all storm water control devices and discharged sediment into the environment, including waters of the State.

Action: The Respondent has agreed to: submit a report prepared by a South Carolina Registered Professional Engineer certifying that all necessary storm water controls are installed and properly functioning; and pay a civil penalty in the amount of ten thousand two hundred dollars (**\$10,200.00**).

10) Order Type and Number: Administrative Order 05-076-W
Order Date: June 29, 2005
Respondent: **Piney Grove Utilities**
Facility: Lloydwood Subdivision WWTF
Location/Mailing Address: 49 Archdale Street
Charleston, S.C. 29401
County: Lexington
Previous Orders: 02-268-W (\$14,000), 04-007-W (\$31,024 Suspended), and 05-040-W (\$0)
Permit/ID Number: SC0031402
Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987), 48-1-110(d) (Supp. 2004), 24 S.C. Code Ann. Regs. 61-9.122.41 (e)(1), (e)(4)(iii), (l)(6)(i) (Supp. 2004), and 25 S.C. Code Ann. Regs. 61-68.E (5)(c) (Supp. 2004)

Summary: Piney Grove Utilities, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF and a WWCS. The Respondent has violated the Pollution Control Act, Water Classifications and Standards, and Water Pollution Control Permit Regulations as follows: failed to properly operate and maintain the WWTF and WWCS and discharged deleterious material into waters of the State.

Action: The Respondent has been ordered to: comply with all applicable State and Federal regulations; properly report all sewer system overflows (SSOs); develop and implement a capacity, management, operation, and maintenance (cMOM) plan; identify and address all priority deficiencies within the WWCS; submit summary progress reports on a quarterly basis; and pay a civil penalty in the amount on sixty-two thousand four hundred and sixty dollars (**\$62,460.00**).

- 11) Order Type and Number: Administrative Order 05-077-W
Order Date: June 29, 2005
Respondent: **Piney Grove Utilities**
Facility: Lloydwood Subdivision WWTF
Location/Mailing Address: 49 Archdale Street
Charleston, S.C. 29401
County: Lexington
Previous Orders: 02-268-W (\$14,000), 04-007-W (\$31,024 Suspended), 05-040-W (\$0), 05-076-W (\$62,460)
Permit/ID Number: SC0031402
Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987), 48-1-110(d) (Supp. 2004), 24 S.C. Code Ann. Regs. 61-9.122.41 (a), (e), (h) and (l)(4) (Supp. 2004), and 25 S.C. Code Ann. Regs. 61-68.E (5)(c) and (d), (G)(10)(b) and (e) (Supp. 2004).

Summary: Piney Grove Utilities, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF and a WWCS. The Respondent has violated the Pollution Control Act, Water Classifications and Standards, and Water Pollution Control Permit Regulations as follows: failed to properly operate and maintain the WWTF; failed to provide an operator of appropriate grade; failed to perform daily, monthly and quarterly monitoring of the effluent discharge; failed to submit monthly discharge monitoring reports for the December 2004 through April 2005 monitoring periods; failed to respond to Department requests for information and corrective actions in a timely manner; denied Department personnel access to the WWTF; failed to properly disinfect the effluent discharge, resulting in impacts to waters of the State; and discharged sewage and other wastes into waters of the State.

Action: The Respondent has been ordered to: pay a civil penalty in the amount of four million three hundred five thousand one hundred thirty-one dollars and fifty-two cents (**\$4,305,131.52**).

- 12) Order Type and Number: Consent Order 05-079-DW
Order Date: July 7, 2005
Respondent: **Clear Springs Development Co., LLC**
Facility: Baxter West of Sutton
Location/Mailing Address: P.O. Box 1777
Fort Mill, S.C. 29716
County: York
Previous Orders: None
Permit/ID Number: None
Violations Cited: S.C. Code Ann § 48-1-110(a)(1) (1987), 25 S.C. Code Ann. Regs. 61-67(100) (Supp. 2004), and 24 S.C. Code Ann. Regs. 61-9.122.21(a)(2) (Supp. 2004)

Summary: Clear Springs Development Company, LLC (Respondent) is responsible for the proper construction of a WWCS serving the residents of Baxter West of Sutton. The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failed to obtain a construction permit prior to constructing the WWCS.

Action: The Respondent has agreed to: obtain a WWCS permit; comply with all permitting and operating requirements in accordance with all applicable State and Federal laws and regulations; submit a report completed and stamped by a South Carolina Registered Professional Engineer certifying that the WWCS is in accordance with the approved plans and specification; and pay a civil penalty in the amount of two thousand eight hundred dollars **(\$2,800.00)**. The civil penalty has been paid.

13) Order Type and Number: Consent Order 05-080-W
Order Date: July 1, 2005
Respondent: **Daniel M. Smith**
Facility: N/A
Location/Mailing Address: 2740 Island View Drive
Fort Mill, S.C. 29708
County: York
Previous Orders: None
Permit/ID Number: None
Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987)
and 25 S.C. Code Ann. Regs. 61-68 (E)(5)(d) (Supp. 2004)

Summary: Daniel M. Smith (Respondent) is responsible for the dredging of a small cove on Lake Wylie, S.C. The Respondent has violated the Pollution Control Act and the Water Classifications and Standards as follows: allowed the dredging of a small area of natural wetlands and allowed the discharge of sediments into the environment, including waters of the State.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations and submit a report developed by a South Carolina Registered Professional Engineer stating that the Site has been stabilized and is in compliance with State and Federal Regulations.

14) Order Type and Number: Consent Order 05-083-W
Order Date: July 19, 2005
Respondent: **Emerald Investments, Incorporated**
Facility: Emerald Investment, Inc.
Location/Mailing Address: P.O. Box 48
Greenwood, S.C. 29648
County: Greenwood
Previous Orders: None
Permit/ID Number: None

Violations Cited: S.C. Code Ann. § 48-1-90(a)(1)(1987), 25 S.C. Code Ann. Regs. 61-68(E)(4)(a) (Supp. 2004) and 24 S.C. Code Ann. Regs. 61-9.122.26(b)(14)(x) and 122.26(e)(8) (Supp. 2004)

Summary: Emerald Investments, Incorporated (Respondent) is responsible for the development and construction activities at West Alexander Avenue at SC Highway 225. The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failed to submit a written notice of intent prior to construction activities and discharged sediment into the environment.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with applicable State and Federal laws and regulations; submit a report, completed and stamped by a South Carolina Registered Professional Engineer certifying that the installation of the necessary storm water and sediment control devices are complete and in accordance with the approved plans and specifications; and pay a civil penalty in the amount of eleven thousand two hundred dollars (**\$11,200.00**).

15) Order Type and Number: Consent Order 05-088-W
Order Date: July 8, 2005
Respondent: **Rivers Edge Company**
Facility: Honey Hill Mine
Location/Mailing Address: P.O. Box 488
Hardeeville, S.C. 29927
County: Jasper
Previous Orders: None
Permit/ID Number: SCG730372
Violations Cited: 24 S.C. Code Ann. Regs. 61-9.122.41(a), (e), (j)(3) and (l)(4) (Supp. 2004)

Summary: Rivers Edge Company (Respondent) is responsible for the operation of the Rivers Edge/Honey Hill Mine. The Respondent has violated the Water Pollution Control Permit Regulations as follows: failed to properly operate and maintain the facility; failed to monitor dewatering discharges; and failed to submit discharge monitoring reports (DMRs).

Action: The Respondent has agreed to: submit the DMRs and pay a civil penalty in the amount of three thousand seven hundred and seventy-five dollars (**\$3,775.00**).

16) Order Type and Number: Consent Order 05-090-W
Order Date: July 12, 2005
Respondent: **Low Country Sand & Gravel, Inc.**
Facility: Walker Mine

| | |
|----------------------------------|--|
| <u>Location/Mailing Address:</u> | P.O. Box 1102 Walterboro, S.C. 29488 |
| <u>County:</u> | Colleton |
| <u>Previous Orders:</u> | None |
| <u>Permit/ID Number:</u> | Mine Permit I-01264 |
| <u>Violations Cited:</u> | S.C. Code Ann. § 48-1-90(a) (1987), 48-1-110(d) (Supp.2004), 24 S.C. Code Ann. Regs. 61-9.122.41(a)(3) (Supp. 2004) and 25 S.C. Code Ann. Regs. 61-68.E(5)(d) (Supp. 2004) |

Summary: Low Country Sand & Gravel, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of the Walker Mine. The Respondent has violated the Pollution Control Act as follows: discharged mine pit dewatering into waters of the State and failed to keep waters of the State free of deleterious materials that interfered with classified or existing water uses; failed to submit a Notice of Intent for coverage under National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges Associated with Nonmetallic Mineral Mining Facilities (SCG730000).

Action: The Respondent has agreed to: submit an administratively and technically complete application for NPDES Permit SCG730000 for an existing point source discharge of mine dewatering and mine process wastewater to waters of the State; and pay a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**).

| | | |
|-----|----------------------------------|---|
| 17) | <u>Order Type and Number:</u> | Consent Order 05-093-W |
| | <u>Order Date:</u> | July 19, 2005 |
| | <u>Respondent:</u> | Folly Bend, LLC |
| | <u>Facility:</u> | Folly Bend |
| | <u>Location/Mailing Address:</u> | P.O. Box 49381 Greenwood, S.C. 29649 |
| | <u>County:</u> | Greenwood |
| | <u>Previous Orders:</u> | None |
| | <u>Permit/ID Number:</u> | SCR107562 |
| | <u>Violations Cited:</u> | S.C. Code Ann. § 48-1-110 (Supp. 2004) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp.2004) |

Summary: Folly Bend, LLC (Respondent) owns and is responsible for development and construction activities at Folly Bend. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to install and maintain all sediment and erosion control devices.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a report completed and stamped by a South Carolina Registered Professional Engineer certifying that implementation of the necessary storm water and sediment control devices are complete and in

accordance with the approved plans and specifications; and pay a civil penalty in the amount of sixteen thousand dollars (**\$16,000.00**).

- 18) Order Type and Number: Consent Order 05-095-W
 Order Date: July 19, 2005
 Respondent: **Carolina Water Service, Inc.**
 Facility: Watergate Development WWTF
 Location/Mailing Address: P.O. Drawer 4509
 West Columbia, S.C. 29171

 County: Lexington
 Previous Orders: 02-109-W (\$4,200)
 Permit/ID Number: SC0027162
 Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987)
 and 48-1-110(d) (Supp.2004), 24 S.C. Ann. Regs. 61-9.122.41(e) (Supp.
 2004)

Summary: Carolina Water Service, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF serving the residents of the Watergate Development located at the end of Old Chapin Road and adjacent to Lake Murray. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to properly operate and maintain the WWTF resulting in multiple odor complaints and overflows.

Action: The Respondent has agreed to: submit a summary of corrective actions taken to date to correct the odor and overflow problems, complete all construction for additional upgrades or repairs, including the floating baffle on the equalization (EQ) basin and replacement of the 4 inch line with a 6 inch line to the EQ basin from the backwash basin; and pay a civil penalty in the amount of thirteen thousand six hundred dollars (**\$13,600.00**).

- 19) Order Type and Number: Consent Order 05-097-W
 Order Date: July 21, 2005
 Respondent: **Randall Platt**
 Facility: Platt Dairy
 Location/Mailing Address: 9143 Cardana Highway
 Denmark, S.C. 29042

 County: Bamberg
 Previous Orders: None
 Permit/ID Number: ND0006696
 Violations Cited: S.C. Code Ann. § 48-1-90 (a)(1987),
 24 S.C. Ann. Regs. 61-9.122.41(a) (Supp. 2004), 61-43.200.90(B)(M)(N),
 and 61-43.200.170(C) (Supp. 2004).

Summary: Randall Platt (Respondent) owns and is responsible for the proper operation and maintenance of the Platt Dairy, consisting of a waste storage lagoon and 175 acres of pasture, located approximately 2 miles south of the Town

of Denmark. The Respondent has violated the Pollution Control Act and associated regulations as follows: allowed unpermitted discharge of partially treated wastewater into the environment; failed to properly operate and maintain the Site in accordance with the Special Conditions of its Construction Permit and in accordance with the Department approved waste management plan (WMP) in that: (1) he failed to maintain the vegetation on the dikes; (2) he failed to have the proper number of warning signs; and (3) he did not maintain the minimum one and five tenths (1.5) feet of freeboard in the lagoon.

Action: The Respondent has agreed to: submit a summary of corrective actions taken to bring Platt Dairy into compliance, including an updated WMP; submit an updated Comprehensive Nutrient Management Plan (CNMP) for the Site which must be prepared and stamped by a South Carolina Registered Professional Engineer; and pay a **suspended penalty** in the amount of six thousand eight hundred dollars (**\$6,800.00**) if he fails to meet any requirement of this Order.

| | | |
|-----|----------------------------------|---|
| 20) | <u>Order Type and Number:</u> | Consent Order 05-099-W |
| | <u>Order Date:</u> | July 21, 2005 |
| | <u>Respondent:</u> | Utility Services of South Carolina, |
| | <u>Facility:</u> | Foxwood Subdivision |
| | <u>Location/Mailing Address:</u> | PO Drawer 4509 |
| | | West Columbia, S.C. 29171 |
| | <u>County:</u> | York |
| | <u>Previous Orders:</u> | None |
| | <u>Permit/ID Number:</u> | SC0027146 |
| | <u>Violations Cited:</u> | S.C. Code Ann. § 48-1-110(d) |
| | | (Supp. 2004) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp.2004) |

Summary: Utilities Services of South Carolina, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF serving the residents of the Foxwood Subdivision. The Respondent has violated the Pollution Control Act and associated regulations as follows: exceeded the permitted discharge limits for ammonia-nitrogen (NH₃-N), biochemical oxygen demand (BOD), fecal coliform bacteria (FC), phosphorous, and total suspended solids (TSS).

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit three copies of a preliminary engineering report (PER) with a schedule for implementation; and pay a civil penalty in the amount of eight thousand four hundred dollars (**\$8,400.00**).

| | | |
|-----|-------------------------------|------------------------------------|
| 21) | <u>Order Type and Number:</u> | Consent Order 05-100-W |
| | <u>Order Date:</u> | July 27, 2005 |
| | <u>Respondent:</u> | City of Rock Hill |
| | <u>Facility:</u> | Tools Fork Creek Sewer Interceptor |

Location/Mailing Address: P.O. Box 11706
Rock Hill, S.C. 29731

County: York

Previous Orders: 01-005-W (\$23,000); 02-167-W (\$12,000) (Manchester Creek WWTF)

Permit/ID Number: SCR108892/46-04-05-04

Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987), 25 S.C. Code Ann. Regs. 61-68.E(5)(d) (Supp. 2004), and 24 S.C. Code Ann. Regs. 61-9.122.41 (a) and (e) (Supp. 2004)

Summary: The City of Rock Hill (Respondent) is responsible for land disturbing and construction activities along the Tools Fork Creek Sewer Interceptor route. The Respondent has violated the Pollution Control Act, Water Pollution Control Permit Regulations, and Water Classifications and Standards as follows: discharged storm water into the environment, including waters of the State other than in compliance with a permit issued by the Department; failed to properly install, operate and maintain sediment and erosion control devices; and failed to keep waters of the State free from deleterious materials that interfere with classified and/or existing water uses.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a report certifying that all sediment and erosion control measures have been installed and are functioning properly; and pay a civil penalty in the amount of five thousand six hundred dollars (\$5,600.00).

BUREAU OF AIR QUALITY

22) Order Type and Number: Consent Order 05-032-A

Order Date: July 12, 2005

Respondent: **Coogler Construction, Inc.**

Facility: Coogler Construction, Inc.

Location/Mailing Address: 1760 Dutch Fork Road
Irmo, SC 29063

County: Richland

Previous Orders: 02-360-SW (\$9,600)

Permit/ID Number: N/A

Violations Cited: South Carolina Air Pollution Control Regulation 61-62.2, Prohibition of Open Burning

Summary: Coogler Construction, Inc. (Respondent), is a construction and land-clearing company. The Respondent violated South Carolina Air Pollution Control Regulation 61-62.2, Prohibition of Open Burning, as follows: transported land-clearing debris from off-site and disposed of it via burning.

Action: The Respondent has agreed to: cease open burning except as in compliance with South Carolina Air Pollution Control Regulations; and pay a civil penalty in the amount of three thousand dollars **(\$3,000.00)**.

23) Order Type and Number: Consent Order 05-033-A
Order Date: July 19, 2005
Respondent: **Rock Hunter**
Facility: Rock Hunter
Location/Mailing Address: 430 Groce Meadow Road
Taylors, South Carolina 29687
County: Greenville County
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Air Pollution Control Regulation 61-62.2, Prohibition of Open Burning, U.S. EPA Regulation at 40 CFR 61 Subpart M and South Carolina Air Pollution Control Regulation 61-86.1, Standards of Performance for Asbestos Projects.

Summary: Rock Hunter (Respondent) owns property on 430 Groce Meadow Road in Taylors, South Carolina. The Respondent violated South Carolina Air Pollution Control Regulations as follows: the Respondent demolished and burned a barn, three mobile homes and a home. The Respondent also failed to conduct an asbestos survey; submit the necessary notification; obtain the required asbestos project license; and pay required fees, prior to commencing any demolition activities of regulated structures.

Action: The Respondent has agreed to: submit the required notification, obtain the required asbestos project license and pay all applicable fees to the Department, immediately cease open burning except as in compliance with South Carolina Air Pollution Control Open Burning Regulation; henceforth comply with Federal and State Asbestos; and pay a civil penalty in the amount of three thousand dollars **(\$3,000.00)**. The penalty will be paid in three monthly payments of \$1,000.00 each.

24) Order Type and Number: Consent Order 05-034-A
Order Date: July 19, 2005
Respondent: **Clifton Two Partners Corporation**
Facility: Clifton Two Partners Corporation
Location: 1 A Street
Greenville, South Carolina 29609
Mailing Address: 15503 Lee Highway
Bristol, Virginia 24202
County: Greenville County
Previous Orders: None
Permit/ID Number: N/A

Violations Cited: U.S. EPA Regulation at 40 CFR 61 Subpart M and South Carolina Air Pollution Control Regulation 61-86.1, Standards of Performance for Asbestos Projects.

Summary: Clifton Two Partners Corporation (Respondent) owns property at 1 A Street in Greenville, South Carolina. The Respondent violated U.S. EPA and South Carolina Air Pollution Control Regulations as follows: the Respondent failed to submit the necessary notification, obtain the required asbestos project license, and pay required fees, prior to commencing demolition of a regulated structure.

Action: The Respondent has agreed to: provide the Department with the applicable written notification, obtain an asbestos project license, and pay all applicable fees prior to commencing any demolition project, and to pay a civil penalty in the amount of two thousand seven hundred fifty dollars **(\$2,750.00)**.

25) Order Type and Number: Consent Order 05-035-A
Order Date: July 19, 2005
Respondent: **Mr. Stephen Riggi d/b/a Low Country Wrecking**
Facility: Mr. Stephen Riggi d/b/a Low Country Wrecking
Location/Mailing Address: P.O. Box 51569
Summerville, SC 29485
County: Charleston
Previous Orders: 04-083-A (\$16,000)
Permit/ID Number: N0503054
Violations Cited: U.S. EPA 40 CFR 61.145 (b),
Standard for Demolition and Renovation, and South Carolina Air
Pollution Control Regulation 61-86.1, Section XIII.B.1.a, Standards For
Demolitions

Summary: Mr. Stephen Riggi d/b/a Low Country Wrecking (Respondent), located in Summerville, South Carolina, is a demolition contractor. The Respondent violated Federal and State asbestos regulations as follows: failed to provide written notification to the Department ten working days prior to commencing demolition activities, and failed to obtain a demolition project license prior to commencing demolition activity.

Action: The Respondent has agreed to: submit all required notifications and obtain all required licenses prior to commencing demolition activity in accordance with Federal and State asbestos regulations, and within thirty (30) days of the execution of the Order, pay a civil penalty in the amount of two thousand dollars **(\$2,000.00)**.

26) Order Type and Number: Consent Order 05-036-A
 Order Date: July 19, 2005
 Respondent: **James M. Croft**
 Facility: James M. Croft
 Location/Mailing Address: 1300 Capernaum Road
 Bamberg, South Carolina 29003
 County: Bamberg County
 Previous Orders: None
 Permit/ID Number: N/A
 Violations Cited: South Carolina Air Pollution Control
 Regulation 61-62.2, Prohibition of Open Burning

Summary: James M. Croft (Respondent) owns property and resides at 1300 Capernaum Road in Bamberg, South Carolina. The Respondent violated South Carolina Air Pollution Control Regulations in that he burned household garbage and construction and demolition debris in a manner prohibited by the Regulation.

Action: The Respondent has agreed to immediately and henceforth cease open burning except as provided by South Carolina Air Pollution Control Open Burning Regulations.

27) Order Type and Number: Consent Order 05-037-A
 Order Date: July 19, 2005
 Respondent: **Kentucky-Tennessee Clay Co.**
 Facility: Kentucky-Tennessee Clay Co.
 Location/Mailing Address: State Road 66
 P.O. Box 1370
 Langley, South Carolina 29834
 County: Aiken County
 Previous Orders: None
 Permit/ID Number: 0080-0003
 Violations Cited: South Carolina Pollution Control Act
 Code Ann. §48-1-110(d), U.S. EPA 40 CFR 70.5(a)(1)(iii) and South
 Carolina Air Pollution Control Regulation 61-62.70.5(a)(1)(iii).

Summary: Kentucky-Tennessee Clay Co. (Respondent), located in Langley, South Carolina, mines and processes kaolin clay. The Respondent violated its permit by failing to submit reports as follows: dust collector pressure drops, wet scrubber liquid and gas flow, process excursion, and volatile organic compounds/methanol emissions for the reporting periods ending December 30, 2003, and June 30 and September 30, 2004; fuel oil usage for all four quarters of the reporting period ending May 31, 2004; and a timely and complete TVACC for the reporting period ending May 31, 2004, as required by its Title V Operating Permit. The Respondent violated U.S. EPA and South Carolina Air Pollution Control Regulations as follows: failure to submit an application for renewal of its Title V Operating Permit at least six months prior to the date of permit expiration.

Action: The Respondent has agreed to: (1) submit no later than July 16, 2005, the Title V Annual Compliance Certification ("TVACC") for the reporting period ending May 31, 2005; (2) submit to the Department a TVACC for the partial or complete annual monitoring period(s) occurring between June 1, 2005, and the effective date of the final permit action taken on the application for renewal; (3) henceforth submit to the Department a TVACC no later than forty-five (45) days following the end of each reporting period; (4) henceforth submit to the Department all other periodic reports in accordance with the schedule and conditions established in its Title V permit; (5) henceforth submit to the Department complete Title V permit renewal applications at least six months prior to the date of permit expiration; (6) comply with all terms and conditions of Title V Operating Permit TV-0080-0003, effective June 1, 2001, until such time as the Department takes final action on the application for renewal; and (7) pay a civil penalty in the amount of twelve thousand dollars (**\$12,000.00**).

JOINT ENFORCEMENT ORDERS

| | | |
|-----|----------------------------------|---|
| 28) | <u>Order Type and Number:</u> | Consent Order 05-089-DW, W |
| | <u>Order Date:</u> | July 7, 2005 |
| | <u>Respondent:</u> | Namen Orangeburg, LLC |
| | <u>Facility:</u> | Holiday Inn Express |
| | <u>Location/Mailing Address:</u> | P.O. Box 4540 Florence, S.C. 29502 |
| | <u>County:</u> | Colleton |
| | <u>Previous Orders:</u> | None |
| | <u>Permit/ID Number:</u> | 30645-WW |
| | <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-58.1(B)(1), 61-58.7(K)(1), and 61-9.122.21(a)(3) |

Summary: Namen Orangeburg, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS) and a wastewater collection system (WWCS) that serves the employees and guests of the Holiday Inn Express, located in Walterboro, SC. The Respondent has violated the State Primary Drinking Water Regulations and the Pollution Control Act as follows: failure to obtain a permit prior to constructing a PWS and failure to obtain final approval prior to placing the PWS and the WWCS into operation.

Action: The Respondent has agreed to: operate and maintain the PWS and WWCS in accordance with all applicable State and Federal laws and regulations; obtain the appropriate construction permit for the PWS; and pay a civil penalty in the amount of six thousand nine hundred dollars (**\$6,900.00**) in quarterly installments.

| | | |
|-----|---|---|
| 29) | <u>Order Type and Number:</u> <u>Order Date:</u> <u>Respondent:</u> <u>Facility:</u> <u>Location/Mailing Address:</u> <u>County:</u> <u>Previous Orders:</u> <u>Permit/ID Number:</u> <u>Violations Cited:</u> and 61-67.300.A.1 | Consent Order 05-086-DW, W July 19, 2005 Patterson Land, Inc. Carter's Mill Estates P.O. Drawer 7049 Hilton Head, S.C. 29938 Jasper None CP 14733-WS, 25824-WW S.C. Code Ann. Regs. 61-58.1(B)(1) |
|-----|---|---|

Summary: Patterson Land, Inc. (Respondent) is responsible for the proper installation of water and wastewater lines that serve the residents of the Carter's Mill Estates. The Respondent has violated the State Primary Drinking Water Regulations and the Pollution Control Act as follows: failure to obtain a construction permit prior to installing water lines and wastewater lines.

Action: The Respondent has agreed to: operate and maintain the PWS and WWCS in accordance with all applicable State and Federal laws and regulations; obtain the appropriate construction permit for the PWS and WWCS; and pay a civil penalty in the amount of six thousand six hundred dollars **(\$6,600.00)** in quarterly installments.